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ier LLP

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USDC SDNY  
Fax +1 212.351.5272  
AOffenhardt@gibsondunn.com

May 29, 2020

**VIA EMAIL & ECF**

The Honorable Analisa Torres  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Aiello v. Brown, et al.*, No. 19 Civ. 9647 (AT)

Dear Judge Torres:

As discussed in the Letter Motion for Extension of Time [ECF No. 71] filed on May 1, 2020, Defendants intend to file new motions to dismiss in response to the 69-page amended complaint, which includes new allegations and claims. So that the Defendants can fully and fairly present the issues to the Court, we respectfully request ten additional pages for the memoranda of law of Defendants ArrowMark Colorado Holdings, LLC, HiTouch Nashville, LLC, Sanjai Bhonsle, David Corkins, John Eisinger, Michael Novoseller, Karen Reidy, and Dana Staggs (collectively, "ArrowMark Defendants") in support of their motion to dismiss, for a total of no more than 40 pages, and five additional pages for the remaining Defendants' memoranda of law in support of their motion to dismiss, for a total of no more than 35 pages.

Additionally, as a result of the challenges presented by the COVID-19 pandemic, made more challenging as a result of unanticipated scheduling issues in other matters, Defendants request a one-week extension for the deadline for the filing of their motions to dismiss, so that the schedule would be amended as follows: 1) Defendants will file their motion to dismiss, currently due on June 2, 2020, by June 9, 2020; 2) Plaintiffs will file their answering papers, currently due on July 1, 2020, by July 8, 2020; and 3) Defendants will file reply papers, currently due on July 15, 2020, by July 22, 2020. This is the second request for an adjournment. The first was filed on May 1, 2020 [ECF No. 71] and granted on by the Court on May 11, 2020 [ECF No. 72].

We have conferred with Plaintiffs' counsel regarding these two requests and, unfortunately, despite the circumstance under which we all find ourselves, Plaintiffs do not consent to the one week extension. Plaintiffs also do not consent to the request regarding extra pages; stating they would only consent to an additional five pages.

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As always, we thank the Court for its consideration of the above proposals.

Respectfully submitted,

/s/ Adam H. Offenhartz  
Adam H. Offenhartz

cc: Andrew St. Laurent, Esq. (via ECF and E-Mail)  
Steven M. Kaplan, Esq. (via ECF and E-Mail)  
Tyler H. Amass, Esq. (via ECF and E-Mail)

GRANTED in part, DENIED in part.

The Court will permit **five** additional pages for Defendants' memoranda in support of their motions to dismiss.

Defendants' request for an extension of time is GRANTED. Accordingly, by **June 9, 2020**, Defendants shall file their motions to dismiss. By **July 8, 2020**, Plaintiffs shall respond. By **July 22, 2020**, Defendants shall file their replies, if any.

SO ORDERED.

Dated: May 29, 2020  
New York, New York



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ANALISA TORRES  
United States District Judge